

PROPOSED AMENDMENT TO H.960 from UNAP

Sec. 5. BRATTLEBORO RETREAT; CONDITIONS OF STATE FUNDING

1 (a) Findings.

2 **(1)** In recognition of the significant need within Vermont's
3 health care system for inpatient psychiatric capacity, the General Assembly has
4 made significant investments in capital funds and in rate adjustments to assist
5 the Brattleboro Retreat in its financial sustainability. The General Assembly
6 has a significant interest in the quality of care provided at the Brattleboro
7 Retreat, which provides 100 percent of the State's inpatient psychiatric care for
8 children and youth, and more than half of the adult inpatient care, of which
9 approximately 50 percent is paid for with State funding.

(2) The General Assembly recognizes that the ability of staff to provide quality care is closely tied to staff feeling valued by management. Numerous reports of labor unrest at the Brattleboro Retreat raise concerns about the impact that labor relations may have on patient care at the Retreat. The General Assembly has an interest in ensuring that the working environment at the Brattleboro Retreat support quality patient care.

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11 (b) Conditions. As a condition of further State funding, the General
12 Assembly requires that the following **quality oversight** measures be
13 implemented by the Brattleboro Retreat under the oversight of the Department
14 of Mental Health:

15 (1) allow the existing mental health patient representative under contract
16 with the Department pursuant to 18 V.S.A. § 7253(1)(J) to have full access to

17 inpatient units to ensure that the mental health patient representative is
18 available to individuals who are not in the custody of the Commissioner;

19 (2) in addition to existing policies regarding the provision of certificates
20 of need for emergency involuntary procedures, provide to the Department
21 deidentified certificates of need for emergency involuntary procedures used on
22 individuals who are not in the custody of the Commissioner; and

1 (3) ensure that the mental health patient representative be a regular
2 presenter at the Brattleboro Retreat's employee orientation programming; and

17 **(4) On or before July 31, 2020, the Brattleboro Retreat shall develop a 12-month plan, with measurable benchmarks, to open communication and meaningfully improve employee relations. The plan and monthly reports on the plan shall be provided to the Commissioner, the Senate Health and Welfare Committee and the House Health Care Committee. The plan shall include opportunities for staff to meet independently with the Brattleboro Retreat's Board of Directors.**

1 (c)(1) Patient experience and quality of care. To support proactive,
2 continuous quality and practice improvement and to ensure timely access to
3 high-quality patient care, the Department and the Brattleboro Retreat shall:

4 (A) to the extent feasible by the Department, meet jointly each month
5 with the mental health patient representative contracted pursuant to 18 V.S.A.
6 § 7253(1)(J) and the mental health care ombudsman established pursuant to
7 18 V.S.A. § 7259 to review patient experiences of care; and

8 (B) identify clinical teams within the Department and the Brattleboro
9 Retreat to meet monthly for discussions on quality issues, including service
10 delivery, clinical practices, practice improvement and training, case review,

11 admission and discharge coordination, and other patient care and safety topics.
12 (2) On or before February 1, 2021, the Department shall report to the
13 House Committee on Health Care and to the Senate Committee on Health and
14 Welfare regarding patient experiences and quality of care at the Brattleboro
15 Retreat.

